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TRANSMITTAL FORM

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		Application Number	10/599,502
		Filing Date	September 29, 2006
		First Named Inventor	COATI
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	7202-124

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> Alter Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): postcard
Remarks Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-0951.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mark D. Passler, Registration No. 40,764 Akerman Senterfitt
Signature	
Date	11-30-06

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Mark D. Passler
Signature	
Date 11-30-06	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.C./



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of COATI et al.

Application No. 10/599,502

Examiner:

Filed: September 29, 2006

Group Art Unit:

For: INTRAMEDULLARY NAIL COMPRISING ELEMENTS OF SHAPE-MEMORY MATERIAL

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)**CERTIFICATE OF TRANSMISSION/MAILING**

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 Reg. No. 40,764
Mark D. Passler

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed. A copy of each foreign language reference is enclosed, along with an English-language abstract where necessary. The references were cited in part in the specification of the present application and in part in the PCT Search Report. A copy of the PCT Search Report is also enclosed, which satisfies the requirement for a concise explanation of foreign-language references.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

U.S. Patent Appln. No. 10/599,502
Information Disclosure Statement

Docket No. 7202-124

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR 1.97(b).

In view of the above certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 11-30-06



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Substitute for Form 1449(B)(2)

PTO/SB/08A (07-05)

Substitute for Form 1449BTO **Complete if Known**

Complete if Known

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/599,502
		Filing Date	September 29, 2006
		First Named Inventor	COATI
		Art Unit	
		Examiner Name	
		Attorney Docket Number	7202-124
Sheet	1	of	1

Sheet 1

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per 7202-124

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code* "Number" "Kind Code" (if known)			#
		JP-10-57398-A	03/03/1998	MONMA MITSURU	
		FR-2 783 702-A	03/31/2000	BERTHOLET, MAURICE	
		FR-2 727 304-A	05/31/1996	FELMAN, DANIEL	
		WO 03/007830-A1	01/30/2003	EXPANDING ORTHOPEDIC	
		DE-38 38 388-A1	05/17/1990	PFEIFER THOMAS	
		EP-0 772 420	05/14/1997	ORTHOFIX SRL	

Examiner Signature	/Jerry Cumberledge/	Date Considered	02/25/2011
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Transmittal is attached.
A non-disclosure agreement is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (end by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Times will vary depending upon the individual case. Any comments or suggestions should be addressed to the Office of the Commissioner of Patents and Trademark, Office of the Commissioner, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES TO THE FEE ADDRESS AND COMPLETED FORMS TO THE EXAMINER'S ADDRESS.**

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